

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 26***

FIFTY-NINTH LEGISLATURE

Tuesday, February 15, 2005

37th Day - 2005 Regular

	SENATE		HOUSE	
SB 5463-S SB 5488-S SB 5902 SB 5903 SB 5904 SB 5905 SB 5906 SB 5907 SB 5908 SB 5909 SB 5910 SB 5911 SB 5912 SB 5912 SB 5913 SB 5914 SB 5915 SB 5916	SB 5917 SB 5918 SB 5919 SB 5920 SB 5921 SJM 8010-S SCR 8407	HB 1133-S HB 1340-S HB 1366-S HB 1398-S HB 1483-S HB 1969 HB 1970 HB 1971 HB 1972 HB 1973 HB 1974 HB 1975 HB 1976 HB 1977 HB 1977 HB 1978 HB 1979 HB 1979	HB 1981 HB 1982 HB 1983 HB 1984 HB 1985 HB 1986 HB 1987 HB 1988 HB 1999 HB 1990 HB 1991 HB 1992 HB 1993 HB 1993 HB 1994 HB 1995 HB 1995 HB 1996 HB 1997	HB 1998 HB 1999 HB 2000 HB 2001 HB 2002 HB 2003 HCR 4406

House Bills

HB 1133-S by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Nixon, Haigh and Shabro)

Reorganizing public disclosure law.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that chapter 42.17 RCW contains laws relating to several discrete subjects. Therefore, the purpose of this act is to recodify some of those laws and create a new chapter in the Revised Code of Washington that contains laws pertaining to open government.

-- 2005 REGULAR SESSION --

Feb 11 SGOA - Majority; 1st substitute bill be substituted, do pass.

HB 1340-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Darneille and Kagi; by request of Criminal Justice Training Commission)

Authorizing the certification of corrections officers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the certification of corrections officers.

-- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 14 Referred to Appropriations.

HB 1366-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Roberts, McDonald, B. Sullivan, Dickerson, Morrell, Skinner, Appleton, Hinkle, Moeller, Hasegawa, McCune, Sells, Walsh, Ormsby, Kenney, Kagi and McDermott)

Requiring video game retailers to inform consumers about video game rating systems.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires every video game retailer to post signs providing information to consumers about the existence of a nationally recognized video game rating system, or notifying consumers that a rating system is available, to aid in the selection of a game if such a rating system is in existence.

Requires a video game retailer to make available to consumers, upon request, information that explains the video game rating system.

-- 2005 REGULAR SESSION --

Feb 9 JJFL - Majority; 1st substitute bill be substituted, do pass.

Feb 14 Passed to Rules Committee for second reading.

HB 1398-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Haler, O'Brien, Newhouse, Walsh, Grant, Curtis, McCune, Hankins and Kretz)

Including goats in theft of livestock in the first degree.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 9A.56.080 and 4.24.320 to include goats in theft of livestock in the first degree.

-- 2005 REGULAR SESSION --

Feb 10 CJC - Majority; 1st substitute bill be substituted, do pass.

Feb 14 Passed to Rules Committee for second reading.

HB 1483-S by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, McDonald, Moeller, Darneille, Jarrett, Simpson, Morrell, Sommers, Kenney, McDermott, Kagi, Chase and Clibborn)

Creating an "investing in youth program."

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to create incentives for local government investments in cost-effective intervention services that reduce crime by reimbursing local governments with a portion of the cost savings that accrue to the state as the result of local investments in such services.

Directs the department of community, trade, and economic development to establish a reinvesting in youth program that awards grants to counties for implementing research-based early intervention services that target juvenile justice-involved youth and reduce crime, subject to the availability of amounts appropriated for this specific purpose.

Provides that, effective July 1, 2005, and continuing through June 30, 2007, a reinvesting in youth pilot program shall be established. The pilot program will test methods for reinvestment of state savings that result from local investments in evidenced-based services for juvenile justice-involved youth.

Provides that participation in the pilot program shall be limited to three counties or groups of counties including at least one charter county with a population of over five hundred thousand residents and at least one county or group of counties with a combined population of three hundred thousand residents or less. Effective July 1, 2007, all counties shall become eligible to apply for participation in the program.

Provides that the department of community, trade, and economic development shall contract with the department of social and health services juvenile rehabilitation administration for the establishment of a state quality assurance program. The juvenile rehabilitation administration shall monitor the implementation of intervention programs reimbursed pursuant to this act and shall evaluate adherence to program design. The juvenile rehabilitation administration shall report any failures to comply with its quality assurance standards to the department of community, trade, and economic development.

Requires the Washington state institute for public policy to estimate the costs and benefits resulting from the

implementation of the reinvesting in youth program and provide a report to the appropriate committees of the legislature, the governor, and to the department of community, trade, and economic development on December 1, 2007, and every four years thereafter.

-- 2005 REGULAR SESSION --

Feb 9 JJFL - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 14 Referred to Appropriations.

HB 1969 by Representatives Ericks, Hankins, Simpson, Jarrett, Upthegrove, Murray and

Dickerson

Revising transportation goals.

Revises goals for the planning, operation, and performance of and investment in the state transportation system.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Transportation.

HB 1970 by Representatives P. Sullivan, Springer,
Miloscia, Upthegrove, Morrell, Haigh,
O'Brien, Linville and Takko; by request of Governor
Gregoire

Improving government management, accountability, and performance.

Provides that: (1) Each state agency shall, within available funds, develop and implement a management, accountability, and performance system to improve the public services it provides.

- (2) Each agency shall ensure that managers and staff at all levels are engaged in the system and shall provide managers and staff with the training necessary for successful implementation.
- (3) Each agency shall, within available funds, ensure that its management, accountability, and performance system: (a) Uses strategic business planning to establish goals, objectives, and activities consistent with the priorities of government, as provided in statute;
- (b) Engages stakeholders and customers in establishing service requirements and improving service delivery systems;
- (c) Includes clear, relevant, and easy-to-understand measures for each activity;
 - (d) Gathers, monitors, and analyzes activity data;
- (e) Uses the data to evaluate the effectiveness of programs to manage process performance, improve efficiency, and reduce costs;
- (f) Establishes performance goals and expectations for employees that reflect the organization's objectives; and provides for regular assessments of employee performance;
- (g) Uses activity measures to report progress toward agency objectives to the agency director at least quarterly;
- (h) Where performance is not meeting intended objectives, holds regular problem-solving sessions to develop and implement a plan for addressing gaps; and
- (i) Allocates resources based on strategies to improve performance.

Requires state agencies whose chief executives are appointed by the governor to report to the governor on agency performance at least quarterly.

Provides that the governor shall report annually to citizens on the performance of state agency programs. The

governor's report shall include: (1) Progress made toward the priorities of government as a result of agency activities; and

(2) Improvements in agency management systems, fiscal efficiency, process efficiency, asset management, personnel management, statutory and regulatory compliance, and management of technology systems.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to State Government Operations & Accountability.

HB 1971 by Representatives Haler, Grant, Kretz, Walsh, Kristiansen, Buri, Crouse, Newhouse, Linville, Morrell, Condotta, Holmquist, McCune, Haigh and Schindler

Providing a sales and use tax exemption for certain parts and services for machinery and equipment used by a farmer.

Provides a sales and use tax exemption for certain parts and services for machinery and equipment used by a farmer.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Economic Development, Agriculture & Trade.

HB 1972 by Representatives Kretz, Clements, Takko, Blake, Buck and McCune

Concerning the hunter education training program.

Directs the department to increase the number of courses providing the hunter education training program created in RCW 77.32.155. The department must reduce the current backlog of applicants waiting to take the training program, and provide for a stable supply of training program courses in order to avoid future backlogs.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Appropriations.

HB 1973 by Representatives B. Sullivan and Hasegawa

Providing a property tax exemption for nonprofit organizations that assist small businesses.

Finds that nonprofit organizations and associations engaged in the education, training, and employment of economically disadvantaged people who are involved in the creation and expansion of businesses with marketable products and services in a physical location provide many public benefits to the people of the state of Washington.

Finds that it is in the best interest of the state of Washington to provide a limited property tax exemption for the use of these facilities by certain organizations in order to be self-sustaining for their exempt purposes.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Economic Development, Agriculture & Trade.

https://dx.doi.org/10.1016/pdf.

by Representatives Linville, Rodne, Morris, Anderson and Kenney; by request of Lieutenant Governor and Secretary of State

Creating the association of Washington generals.

Declares that the association of Washington generals is organized as a private, nonprofit, nonpartisan, corporation in accordance with chapter 24.03 RCW and this act.

Declares that the purpose of the association of Washington generals is to: (1) Provide the state a means of extending formal recognition for an individual's outstanding services to the state; and

(2) Bring together those individuals to serve the state as ambassadors of trade, tourism, and international goodwill.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Economic Development, Agriculture & Trade.

HB 1975 by Representatives Springer, Tom, B. Sullivan, O'Brien, Cody, Kagi, Blake, Orcutt, McIntire, Nixon, Hinkle, Condotta, Haigh and Kenney

Providing excise tax relief for trail maintenance and construction services performed by nonprofit organizations.

Finds that the state is home to an extensive trail network that accommodates a physically active and demographically diverse public. An important community resource, this network of trails provides pathways through which people can experience our unique wilderness lands.

Finds that nonprofit organizations play a vital role in building and maintaining Washington's hiking trail network.

Declares that it is in the public interest to encourage these nonprofit organizations through the provision of tax relief. The tax relief provided by this act reduces the tax burden on nonprofit organizations that build and maintain trails and increases the impact and effectiveness of trail building and maintenance activities provided by these organizations.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Finance.

HB 1976 by Representatives Hunt, Dunn, Darneille, Clements, Appleton and Santos

Providing a tuition waiver for retired state employees on a space available basis.

Authorizes a tuition waiver for retired state employees on a space available basis.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Higher Education.

HB 1977 by Representatives O'Brien and Flannigan

Studying insurance fraud.

Requires the insurance commissioner and the attorney general, together, to study the extent of insurance fraud in Washington and the current laws which are in place to combat insurance fraud. In studying this issue, consideration should also be given to the experiences and approaches taken by other states in fighting fraud. Recommendations should address, among other things: What changes in law are necessary to more effectively fight insurance fraud; whether Washington should establish a dedicated insurance fraud bureau; where such a bureau should be located; the resources which would be necessary to establish such a bureau; and the potential sources of funding.

Requires the insurance commissioner and the attorney general to report the results of this study to the legislature not later than December 1, 2005.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Financial Institutions & Insurance.

HB 1978 by Representatives O'Brien and Sells

Requiring an additional examination of offenders to determine sexual dangerousness.

Requires a determination of whether the offender has a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the offender to the commission of criminal sexual acts in a degree constituting such offender a menace to the health and safety of others.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Criminal Justice & Corrections.

HB 1979 by Representatives Darneille, Conway, Murray and Kirby

Concerning local health departments.

Provides that a local board of health operating under chapter 70.08 RCW must include the mayor of the participating city and the county executive of the participating county. The mayor and the county executive shall alternately serve as chair of the local board of health.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Health Care.

by Representatives McIntire and Orcutt; by request of Department of Revenue

Modifying the administration of taxes.

Makes revisions in Title 82 RCW resulting in no fiscal impact.

Repeals RCW 82.29A.150.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Finance.

HB 1981 by Representatives McDermott, Hasegawa and Santos

Creating the Washington community learning center program.

Finds that good after-school programs and activities provide safe and effective learning environments for children, including children who might otherwise be alone and unsupervised after school. These programs not only support children's academic efforts, they also build community partnerships that support children and their learning.

Finds that students who participate in good after-school care programs: (1) Miss fewer days of school and have better behavior in school, test scores, grades, and records of homework completion than children who are left alone;

(2) Spend more time actively learning in a variety of settings and less time watching television than their peers who are left alone; and

(3) Have better peer relations, emotional adjustment, and conflict resolution skills than children who are left alone

Finds that, at the request of the legislature, the Washington after-school network has prepared a statewide after-school plan that would help the state make strategic investments in programs and activities that support children academically while keeping them safe and well-supervised.

Declares an intent to implement the plan by expanding high quality after-school programs, supporting professional development for after-school program staff, increasing public awareness of program benefits, and supporting the after-school organizational infrastructure to ensure economies of scale in support of after-school programs.

Appropriates the sum of two million five hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the office of the superintendent of public instruction to carry out the purposes of this act.

Appropriates the sum of two million five hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the office of the superintendent of public instruction to carry out the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Education.

HB 1982 by Representatives Green, Buck, Talcott, Miloscia, Orcutt, Lantz, Kretz and Kilmer

Preventing harmful algae blooms.

Finds that immediate action is necessary to address the significant public health threat associated with harmful algal blooms in the state's lakes.

Finds that the state's current approach to treating harmful algal blooms in lakes has not proven effective to mitigate the dramatic risks to humans and animals living near or recreating on the state's lakes.

Finds that the state must immediately pursue an aggressive program to prevent or control harmful algal blooms in lakes.

Finds that this program must address the causes of harmful algal blooms in lakes and identify effective treatments and actions to combat the deleterious effects of harmful algal blooms in lakes.

Provides that ten percent of the moneys deposited into the water quality account must be allocated for program activities that control and prevent harmful algal blooms in lakes and to award grants to state agencies, local governments, nonprofit corporations, firms, or any other entity for the control and prevention of harmful algal blooms in lakes. Grant funds may match private funds on an equal basis.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Natural Resources, Ecology & Parks.

HB 1983 by Representatives Takko, Kretz, Sells and Holmquist

Modifying the taxation of land valued under the open space program.

Revises provisions pertaining to the taxation of land valued under the open space program.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Finance.

HB 1984 by Representatives P. Sullivan and Rodne

Changing the clerk's fee for processing an ex parte order.

Provides that, for processing an ex parte order, a fee of thirty dollars must be charged.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Judiciary.

HB 1985 by Representatives Buck and B. Sullivan

Establishing the future of Washington forests review council.

Declares that the purpose of the council is to: (1) Gather data necessary to understanding the economic, recreational, and environmental contributions of the forest products industry and secondary manufacturing sectors in Washington state and the trends that will influence the industry in the future; and

(2) Develop recommendations for policy changes that will contribute to maintaining the economic stability and growth of the forest products industry in Washington state.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the governor's office for the purposes of this act.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the governor's office for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Natural Resources, Ecology & Parks.

HB 1986 by Representatives Roberts, Buri, Kenney, Cox and Morrell

Requiring a review of tuition waivers.

Finds that insofar as tuition waivers have a fiscal impact to the state general fund and to the institutions of higher education, it is in the best interests of the state to undertake a periodic review of tuition waiver statutes in order to examine whether the various waivers are still consistent with the state's priorities in serving its citizens.

Requires the higher education coordinating board to review the current waivers at the state's institutions of higher education and develop recommendations for prioritization of waiver authority. The board shall report to the appropriate committees of the legislature by December 1, 2005, on recommendations for prioritization, including repeal, consolidation, standardization, or other changes to current statutes.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Higher Education.

HB 1987 by Representatives Priest, Ormsby, Curtis and Anderson

Regarding alternative assessments.

Directs the office of the superintendent of public instruction, in consultation with interested school districts,

to design a career and technical assessment alternative that: (1) Is available to students enrolled in comprehensive career and technical education programs that lead to written, widely accepted state or national industry certification when the industry certification requires that the students demonstrate their skills and knowledge through an objective assessment or evaluation and the skills and knowledge included in the program are aligned to the state's high school reading, writing, mathematics, and science essential learnings;

- (2) Is available in programs that have previously been approved by the office of the superintendent of public instruction for the purpose of the assessment alternative; and
- (3) Is piloted beginning with the 2006-07 school year through the end of the 2011-12 school year, with an evaluation of its effectiveness and biennial reports to the legislature on its implementation. The biennial reports shall include the number of programs offering the alternative, the number of students in each program, and the aggregate results of participating students on the Washington assessment of student learning and the assessment or evaluation used to determine industry certification. Students in the pilot must take the high school assessment of student learning at least once and may be required to take a placement test used by the community and technical colleges to ascertain whether they would be able to transition to postsecondary work if they so chose.

Provides that, by October 2012, the superintendent of public instruction shall provide a final report on the pilots to the house of representatives and senate committees responsible for education policy. The final report shall include a recommendation on whether to eliminate or continue the assessment alternative for career and technical education programs that lead to industry certification.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Education.

HB 1988 by Representatives McIntire, Cody and Morrell

Licensing genetic counselors.

Provides that the secretary shall issue a license to any applicant who demonstrates to the satisfaction of the secretary that the applicant meets the following requirements: (1) Graduation from a master's or doctorate program in genetic counseling or medical genetics approved by the secretary:

- (2) Successful completion of any clinical experience requirements established by the secretary; and
- (3) Successful completion of an examination administered or approved by the secretary.

Establishes the advisory committee on genetic counseling.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Health Care.

HB 1989 by Representatives Upthegrove, Jarrett, Moeller, Wood, Hankins, Murray, Appleton, B. Sullivan, Dickerson, Simpson, Lovick, Pettigrew and O'Brien

Providing local transportation funding options.

Provides local transportation funding options.

Repeals RCW 82.80.040, 82.80.050, and 82.80.060.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Transportation.

HB 1990 by Representatives Hunt, Haigh, Williams, Miloscia and McDermott

Requiring elections to be conducted by mail ballot.

Provides that, effective January 1, 2008, all primary, special, and general elections shall be conducted entirely by mail ballot.

Provides that, before January 1, 2008, the county auditor may conduct all primary, special, and general elections entirely by mail ballot.

Requires all vote by mail elections to provide disability access voting as provided in chapter 29A.46 RCW.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to State Government Operations & Accountability.

HB 1991 by Representatives Dunn, Wallace and Schindler

Creating an academic bill of rights.

Creates an academic bill of rights.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Higher Education.

HB 1992 by Representatives Simpson and McIntire

Authorizing cities to impose a tax on water-sewer district services provided within the city.

Provides that a city or town in which a water-sewer district operates works, plants, or facilities for the distribution and sale of water or sewer services has the power to levy and collect from the district a tax on the gross revenues derived by the district from the sale of water or sewer services within the city or town, exclusive of the revenues derived from the sale of water or sewer services for purposes of resale. The tax when levied shall be a debt of the district, and may be collected as such.

Provides that the district has the power to add the amount of tax to the rates or charges it makes for water or sewer services sold within the limits of the city or town.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Finance.

HB 1993 by Representatives Flannigan, Walsh,
Dunshee, Lantz, Darneille, Appleton,
Grant, Lovick, O'Brien, Kagi, Hasegawa and Santos

Ensuring that offender populations do not exceed prison capacity.

Declares an intent to: (1) Focus resources on sex offenders and violent offenders who pose the greatest risk to our communities, by reducing offender populations when such populations exceed the maximum operational capacity of facilities operated by the department of corrections; and

(2) Accomplish the reduction by releasing to community supervision solely low-risk offenders who have been convicted of certain nonviolent offenses and who are closest to the end of their sentences.

Directs the caseload forecast council, in consultation with the department of corrections, the sentencing guidelines

commission, and the indeterminate sentence review board, to, by rule, establish a methodology for determining the maximum statewide operating capacity for correctional facilities operated by the department of corrections. The methodology must take into account methods for increasing facility capacity without making improvements or additions to infrastructure.

Requires the council to complete the methodology and report it to the legislature no later than December 1, 2005.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Criminal Justice & Corrections.

HB 1994 by Representatives Schual-Berke, McDermott, Cody, Dickerson, Hudgins, Upthegrove and Hasegawa

Modifying vehicle size, weight, and load requirements. Revises vehicle size, weight, and load requirements.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Transportation.

HB 1995 by Representatives Lantz, Skinner, Hunt, Moeller and Upthegrove

Concerning historic public facilities.

Declares that the purpose of this act is to provide authority and direction for the care and stewardship of the public and historic facilities of the state capitol, to facilitate public access, use, and enjoyment of these assets, and to carefully preserve them for the benefit of future generations.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Capital Budget.

HB 1996 by Representatives Quall and Morris

Exempting certain private ambulance services from the insurance code.

Provides that the insurance code does not apply to private ambulance services that solicit membership subscriptions, accept membership applications, charge membership fees, and furnish prepaid or discounted ambulance services, including both ground and air ambulance services, to subscription members and designated members of their household.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Financial Institutions & Insurance.

HB 1997 by Representatives Morris, Morrell and O'Brien

Establishing the goal of increasing funding for bachelor's and graduate degrees in high-demand fields.

Finds that Washington lags behind the country and peer states in production of bachelor's and graduate degrees in the fields needed to invent new technologies, attract new businesses and new industries to the state, and spur economic development and job growth.

Finds that a key contributing factor to Washington's low production of high-demand degrees is the practice of funding student enrollment at universities based on an average cost per student, despite clear evidence that junior and senior-level courses in engineering and the hard sciences cost thirty to forty percent above the average, while junior and senior-level courses in fields such as business and social sciences cost thirty to forty percent below the average at the state's two research universities.

Declares an intent to establish a goal to increase course enrollment in engineering, technology, computer science, hard sciences such as chemistry and physics, and mathematics in order to double the number of degrees awarded in these high-demand fields per one hundred thousand population by the year 2015. The legislature further intends to accomplish this goal by increasing perstudent funding for enrollment in high-demand fields by twenty-five percent, while decreasing per-student funding for enrollment in other fields by twenty-five percent.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Higher Education.

HB 1998 by Representatives P. Sullivan and Santos

Creating the apple award program.

Declares an intent through the creation of the apple award, to honor and reward students in Washington's public elementary schools who have shown significant improvement in their school's results on the Washington assessment of student learning.

Creates the apple award program to honor and reward public elementary schools that have the greatest combined average increase in the percentage of students meeting the fourth grade reading, mathematics, and writing standards on the Washington assessment of student learning each school year. The program shall be administered by the state board of education.

Provides that each school that receives an apple award shall be provided with a twenty-five thousand dollar grant to be used for capital construction purposes that have been selected by students in the school and approved by the district's school directors. The funds may be used exclusively for capital construction projects on school property or on other public property in the community, city, or county in which the school is located.

Appropriates the sum of five hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the education construction account--state to the office of the superintendent of public instruction for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Education.

HB 1999 by Representatives Nixon, Flannigan, McDonald and Wood

Clarifying civil liability for traffic infractions when vehicle title is transferred.

Provides that an owner who has made a bona fide sale or transfer of a vehicle, has delivered possession of it to a purchaser, and has fulfilled the requirements of this act is relieved of liability and liability is transferred to the purchaser of the vehicle, for any traffic violation under this title, whether designated as a traffic infraction or classified as a criminal offense, that occurs after the date of the sale or transfer that is based on the vehicle's identification, including, but not limited to, parking infractions, high-occupancy toll lane violations, and violations recorded by automated traffic safety cameras.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Transportation.

HB 2000 by Representatives Kagi, McDonald, Moeller, Morrell, Rodne, Hankins and

Santos

Enhancing grandparents' visitation rights. Enhances grandparents' visitation rights.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Juvenile Justice & Family Law.

HB 2001 by Representatives Bailey, Kessler, Woods, Nixon, Blake and Takko

Authorizing the "Washington Lighthouses" special plate. Authorizes the "Washington Lighthouses" special plate.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Transportation.

HB 2002 by Representatives Dickerson, Roberts, Kagi, Kenney and Santos

Authorizing limited continuing foster care and support services up to age twenty-one.

Provides authority to allow a youth reaching age eighteen to continue in foster care or group care as needed to participate in or complete a high school or posthigh school academic or vocational program, and to receive necessary support and transition services. A youth who remains eligible for such placement and services pursuant to department rules may continue in foster care or group care until the youth reaches his or her twenty-first birthday.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Children & Family Services.

HB 2003 by Representatives McDonald, Pearson and O'Brien

Providing additional conditions for the special sex offender sentencing alternative.

Authorizes the court to impose the following as conditions of the suspended sentence: (1) The offender shall not view, listen to, or have any access to pornography; and

(2) The offender shall not knowingly come within, or remain within, two hundred yards of the victim or the victim's residence.

Provides that, if a violation of conditions imposed under this act occurs during community custody, the department shall refer the violation to the court and recommend revocation of the suspended sentence as provided in this act.

Provides that if a second violation of conditions imposed under this act occurs during community custody, the department shall refer the violation to the court and the court shall order revocation of the suspended sentence.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Criminal Justice & Corrections.

House Concurrent Resolutions

HCR 4406

by Representatives Williams, Buck, Moeller, Hinkle, B. Sullivan, Linville and

Takko

Establishing a joint select legislative task force to review watershed health and salmon recovery plans.

Establishes a joint select legislative task force to review watershed health and salmon recovery plans.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Natural Resources, Ecology & Parks.

Senate Bills

SB 5463-S by Senate Committee on Transportation (originally sponsored by Senators Doumit and Morton)

Allowing small appurtenances on recreational vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that motor homes, travel trailers, and campers may exceed the maximum width established under RCW 46.44.010 if the excess width is attributable to appurtenances that do not extend beyond the body of the vehicle by more than four inches, or if an awning, by more than six inches.

Declares that, as used in this act, "appurtenance" means an appendage that is installed by a factory or a vehicle dealer and is intended as an integral part of the motor home, travel trailer, or camper. "Appurtenance" does not include an item temporarily affixed or attached to the exterior of a vehicle for the purpose of transporting the item from one location to another. "Appurtenance" does not include an item that obstructs the driver's rearward vision.

-- 2005 REGULAR SESSION --

Feb 10 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

Passed to Rules Committee for second reading.

SB 5488-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen and Schoesler)

Concerning the fruit and vegetable district fund.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, on June 30, 2009, any unexpended portion of the two hundred thousand dollars authorized by RCW 15.17.243 shall be transferred to the fruit and vegetable inspection account and deposited in the district account for the district that includes Yakima county.

-- 2005 REGULAR SESSION --

Feb 10 ARED - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5902 by Senators Eide, Shin, Zarelli, Doumit, Rasmussen and Pflug

Establishing a small business innovation research program proposal review process.

Finds that many small business innovators lack the grant-writing skills necessary to prepare a successful small business innovation research program proposal, and the federal program that funded grant-writing assistance has stopped operations. Nearly fifty percent of small businesses trained under the federal program won grants compared to less than ten percent of those that did not receive training.

Directs the Washington technology center to establish a small business innovation research program proposal review process to train and assist Washington small businesses to win phase I small business innovation research program awards.

Directs the Washington technology center to give priority to first-time small business innovation research program applicants, new businesses, and firms with fewer than ten employees.

Authorizes the Washington technology center to charge a fee for this service that is contingent upon the small business's receipt of a phase I award.

Appropriates the sum of forty-five thousand dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2007, from the general fund to the department of community, trade, and economic development for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to International Trade & Economic Development.

SB 5903 by Senators Stevens, Hargrove, Zarelli, Haugen, Esser, Kline, Doumit, Fairley, Johnson, Delvin, Swecker, Kohl-Welles and Rasmussen; by request of Office of Public Defense

Requiring the director of the office of public defense to oversee and monitor legal representation of parents in dependency and termination proceedings.

Provides that, subject to the availability of funds, the office shall oversee and monitor dependency and termination legal representation for parents statewide. The goal shall be to enhance the quality of legal representation in dependency and termination hearings. To meet this goal, attorneys and agencies providing such representation shall comply with the following: (1) Meet maximum caseload requirements for dependency and termination cases, in accordance with standards published by the office of public defense;

- (2) Implement enhanced defense attorney practice standards published by the office of public defense, including but not limited to those related to reasonable case preparation and the delivery of adequate client advice; and
- (3) Use investigative and expert services in appropriate cases.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Human Services & Corrections.

SB 5904 by Senator Pridemore; by request of Department of Revenue

Modifying the administration of taxes.

Makes revisions in Title 82 RCW resulting in no fiscal impact.

Repeals RCW 82.29A.150.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Ways & Means.

SB 5905 by Senators Mulliken and Oke

Creating a procedure for landlords to immediately evict tenants involved in criminal activity.

Finds that under existing landlord tenant laws, persons who are renting or leasing properties, as well as their agencies and neighbors of the properties, do not have means to immediately evict tenants involved in criminal actions.

Finds that with the absence of an immediate legal means to remove disruptive tenants, the property owners, agents, and neighbors suffer significant losses in the property and quiet enjoyment of their residence. These losses continue when disruptive tenants are allowed to remain on the premises pending court action, under existing unlawful detainer law.

Declares an intent to protect property owners, agents, and neighbors from further mental anguish, threats, physical harm, and financial loss by providing for the immediate eviction of persons committing criminal actions or unlawful civil disruptions based upon the findings of fact and the legal conclusions of a court of law.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Financial Institutions, Housing & Consumer Protection.

SB 5906 by Senators Fraser, Morton and Rasmussen

Changing provisions relating to the trust water rights program.

Finds that the trust water rights program is an important tool to meet the state's current and future needs for water, both instream and out-of-stream. It is the intent of this act to enhance the effectiveness of the trust water rights program by clarifying and consolidating procedures for establishing trust water rights.

Repeals provisions of chapter 90.38 and 90.42 RCW.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Water, Energy & Environment.

SB 5907 by Senators Haugen, Kastama, McCaslin and Rasmussen

Affirming that cities and counties planning under chapter 36.70A RCW retain the ability to accommodate state projected population growth within urban growth areas without requiring a minimum residential density.

Declares that the purpose of this act is to affirm that cities and counties planning under the growth management act have flexibility within their granted land use authority to choose appropriate urban residential densities within their jurisdiction within urban growth areas that are sufficient to accommodate, at a minimum, population projections allocated pursuant to RCW 43.62.035 within urban growth areas.

Declares an intent to affirm that such accommodation does not require jurisdictions to establish a uniform minimum residential density.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Government Operations & Elections.

SB 5908 by Senators Regala, Schoesler, Pridemore, Oke, Sheldon, Rasmussen, Carrell, Fairley, Brandland, Poulsen, Schmidt, Eide, Thibaudeau, Franklin, Morton, Jacobsen and Rockefeller

Conforming Washington's tax structure to the streamlined sales and use tax agreement.

Conforms Washington's tax structure to the streamlined sales and use tax agreement.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Ways & Means.

SB 5909 by Senators Deccio, Keiser and Oke

Revising regulation of indoor smoking for the purpose of protecting minors and public health.

Provides that, where a designated smoking area, including a lounge or lounge area, is provided for in a place where bingo is conducted for a bona fide charitable or nonprofit organization as authorized under chapter 9.46 RCW, private facility, restaurant, bowling center, or card room or enhanced card room as authorized by this chapter, the area shall be either an enclosed area or the area shall have sufficient negative air pressure between the smoking and nonsmoking areas, which shall be separated by solid walls or windows, exclusive of doors or passageways that extend from the floor to a minimum of five feet in height between the smoking and nonsmoking area, so that environmental tobacco smoke is not permitted to flow into the nonsmoking area from the smoking area at all times.

Requires employers to disclose to a prospective employee that all or a portion of the facility that the prospective employee would work is a designated smoking area.

Provides that employees under the age of eighteen shall not be permitted to enter designated smoking areas at any time.

Declares that the state of Washington fully occupies and preempts the entire field of indoor smoking regulation within the boundaries of the state. Local laws and ordinances that regulate indoor smoking are preempted and repealed.

Provides that, for facilities that possess an occupancy permit from the applicable building official as of June 1, 2005, the requirements of this act apply January 1, 2007. For facilities that do not possess an occupancy permit from the applicable building official as of June 1, 2005, the requirements of this act apply June 1, 2006.

Repeals RCW 70.160.050 and 70.160.080.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Health & Long-Term Care.

SB 5910 by Senators Kline, Jacobsen and Kohl-Welles

Establishing the University of Washington school of law public service legal loan repayment assistance program.

Finds that it is in the best interest of the state to contribute funding to create a loan repayment assistance program at the University of Washington law school. It is the intent of the legislature in enacting this legislation to provide for the partial or full repayment of educational loans of University of Washington law school graduates who provide legal services in a public service area of the law.

Appropriates the sum of five hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2006, from the general fund to the University of Washington school of law public service legal loan repayment assistance program for the purposes of this act

Appropriates the sum of five hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the general fund to the University of Washington school of law public service legal loan repayment assistance program for the purposes of this act.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Early Learning, K-12 & Higher Education.

SB 5911 by Senators Berkey, Esser, Doumit, McCaslin, Hewitt, Delvin, Thibaudeau, Kohl-Welles and Rasmussen

Excluding self-service laundry from the definition of retail sale for excise tax purposes.

Excludes self-service laundry from the definition of retail sale for excise tax purposes.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Labor, Commerce, Research & Development.

SB 5912 by Senators Kastama and Kohl-Welles

Revising provisions pertaining to the use of scientific information in the designation and protection of critical areas

Finds that not all critical areas must be protected in the same manner or to the same degree, as long as there is no net loss of the structure, value, and functions of the natural systems to which the critical areas contribute.

Declares an intent to ensure that local governments are guided by reliable scientific information when they adopt policies and development regulations regarding critical areas.

Does not intend to establish specific state or regional standards or specific sources of scientific information.

Provides that counties and cities shall identify, collect, and assess the available scientific information relevant to the critical areas within their jurisdictions and determine which of that information constitutes the best available science. Counties and cities may generate scientific information through their own efforts or accept or solicit scientific

information from state and federal agencies, universities, tribes, subject matter experts, and the public participation process.

Requires counties and cities to identify the specific critical areas policies and regulations adopted and the sources of best available science used in the decision-making process.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Government Operations & Elections.

SB 5913 by Senators Kastama, Kohl-Welles and Rasmussen

Regulating tattooing and body piercing.

Regulates tattooing and body piercing businesses.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Labor, Commerce, Research & Development.

SB 5914 by Senators Parlette and Jacobsen

Concerning the conditioning of grants and loans by the salmon recovery funding board.

Revises provisions concerning the conditioning of grants and loans by the salmon recovery funding board.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Natural Resources, Ocean & Recreation.

SB 5915 by Senators Fairley, Brandland, Regala, Hewitt and Kohl-Welles

Ensuring that offender populations do not exceed prison capacity.

Declares an intent to: (1) Focus resources on sex offenders and violent offenders who pose the greatest risk to our communities, by reducing offender populations when such populations exceed the maximum operational capacity of facilities operated by the department of corrections; and

(2) Accomplish the reduction by releasing to community supervision solely low-risk offenders who have been convicted of certain nonviolent offenses and who are closest to the end of their sentences.

Directs the caseload forecast council, in consultation with the department of corrections, the sentencing guidelines commission, and the indeterminate sentence review board, to, by rule, establish a methodology for determining the maximum statewide operating capacity for correctional facilities operated by the department of corrections. The methodology must take into account methods for increasing facility capacity without making improvements or additions to infrastructure.

Requires the council to complete the methodology and report it to the legislature no later than December 1, 2005.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Human Services & Corrections.

SB 5916 by Senators Schmidt, Esser, Finkbeiner and Benson

Providing tax incentives for clean and alternative fuel vehicles.

Provides tax incentives for clean and alternative fuel vehicles.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Water, Energy & Environment.

SB 5917 by Senators Fairley, Kline and Kohl-Welles

Prohibiting discrimination based on lawful source of income.

Declares that "lawful source of income" means verifiable legal income, including income derived from employment, social security, supplemental security income, other retirement programs, child support, alimony, and any federal, state, local, or nonprofit-administered benefit or subsidy programs, including housing assistance, public assistance, and general assistance programs.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Financial Institutions, Housing & Consumer Protection.

SB 5918 by Senators Shin, Schmidt, Berkey, Kastama, Pflug, Rockefeller, Doumit, Esser, Kohl-Welles, Delvin, Jacobsen and Rasmussen

Providing economic development tax credits for employee training.

Provides economic development tax credits for employee training.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to International Trade & Economic Development.

SB 5919 by Senators Thibaudeau, Fairley and Kohl-Welles

Regarding mental health service providers under medicaid.

Provides that mental health providers licensed under chapters 18.57, 18.71, 18.79, 18.83, and 18.225 RCW are authorized to provide mental health services to individuals' families, or groups who are medicaid enrollees. These services may be offered in the providers' office, in the clients' home, or in a nursing facility.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Health & Long-Term Care.

SB 5920 by Senators Esser, Pflug, Shin and Rasmussen

Enacting the Small Business Regulatory Flexibility Act.

Provides that a small business that is adversely impacted or aggrieved in connection with the adoption of a rule is entitled to judicial review of agency compliance with the requirements of chapter 19.85 RCW. A small business may seek that review during the period beginning on the date of final agency action.

Provides that, within five years of the effective date of this act, each agency shall review all agency rules existing at the time of the effective date of this act to determine whether to continue the rules without change or amend or repeal them to minimize economic impact of the rules on small businesses in a manner consistent with the stated objective of applicable statutes. If the head of the agency determines that completion of the review of existing rules is not feasible by the established date, the agency shall publish in the state register a statement certifying that determination.

Requires rules that take effect on or after the effective date of this act to be reviewed within five years of the publication of the final rule in the state register and every five years after that to ensure that they minimize economic impact on small businesses in a manner consistent with the stated objectives of applicable statutes.

Provides that, in reviewing rules to minimize their economic impact on small businesses, the agency shall consider the: (1) Continued need for the rule;

- (2) Nature of complaints or comments received concerning the rule from the public;
 - (3) Complexity of the rule;
- (4) Extent to which the rule overlaps, duplicates, or conflicts with other federal, state, and local governmental rules; and
- (5) Length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

Establishes the small business regulatory review committee within the department of community, trade, and economic development.

Repeals RCW 19.85.040 and 19.85.050.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to International Trade & Economic Development.

SB 5921 by Senators Kastama, Kohl-Welles, Rockefeller and Rasmussen; by request of Governor Gregoire

Improving government management, accountability, and performance.

Provides that: (1) Each state agency shall, within available funds, develop and implement a management, accountability, and performance system to improve the public services it provides.

- (2) Each agency shall ensure that managers and staff at all levels are engaged in the system and shall provide managers and staff with the training necessary for successful implementation.
- (3) Each agency shall, within available funds, ensure that its management, accountability, and performance system: (a) Uses strategic business planning to establish goals, objectives, and activities consistent with the priorities of government, as provided in statute;
- (b) Engages stakeholders and customers in establishing service requirements and improving service delivery systems;
- (c) Includes clear, relevant, and easy-to-understand measures for each activity;
 - (d) Gathers, monitors, and analyzes activity data;
- (e) Uses the data to evaluate the effectiveness of programs to manage process performance, improve efficiency, and reduce costs;
- (f) Establishes performance goals and expectations for employees that reflect the organization's objectives; and provides for regular assessments of employee performance;
- (g) Uses activity measures to report progress toward agency objectives to the agency director at least quarterly;

- (h) Where performance is not meeting intended objectives, holds regular problem-solving sessions to develop and implement a plan for addressing gaps; and
- (i) Allocates resources based on strategies to improve performance.

Requires state agencies whose chief executives are appointed by the governor to report to the governor on agency performance at least quarterly.

Provides that the governor shall report annually to citizens on the performance of state agency programs. The governor's report shall include: (1) Progress made toward the priorities of government as a result of agency activities; and

(2) Improvements in agency management systems, fiscal efficiency, process efficiency, asset management, personnel management, statutory and regulatory compliance, and management of technology systems.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Government Operations & Elections.

Senate Joint Memorials

SJM 8010-S by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Rasmussen, Schoesler, Sheldon, Franklin, Roach, Spanel, Deccio, McAuliffe, Shin, Haugen, Prentice, Fairley, Rockefeller, Mulliken and Morton)

Petitioning the United States Department of Agriculture to delay plans to reopen the border to Canadian cattle and beef products.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Petitions the United States Department of Agriculture to delay plans to reopen the border to Canadian cattle and beef products.

-- 2005 REGULAR SESSION --

Feb 10 ARED - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Senate Concurrent Resolutions

SCR 8407 by Senators Shin, Berkey, Kastama, Doumit, Rockefeller, Keiser, Esser, Kohl-Welles, Jacobsen, Kline and Rasmussen

Establishing a joint task force to study offshore outsourcing. Establishes a joint task force to study offshore outsourcing.

-- 2005 REGULAR SESSION --

Feb 14 First reading, referred to Labor, Commerce, Research & Development.

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